
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1989 Session of
2019

INTRODUCED BY O'NEAL, LEWIS, GROVE, KEEFER, HERSHEY, OWLETT,
RYAN, JONES, GLEIM, DUSH, BERNSTINE, MILLARD, BARRAR,
B. MILLER, MOUL, STAATS, THOMAS, KAUFFMAN, TOOHIL, WALSH,
GILLEN, ECKER, DIAMOND AND NELSON, NOVEMBER 19, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 19, 2019

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, in taxation and finance, further providing
3 for surplus.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 14 of Article VIII be amended to read:

9 § 14. [Surplus] Budgetary Reserves and Surplus Funds.

10 [All surplus of operating funds at the end of the fiscal year
11 shall be appropriated during the ensuing fiscal year by the
12 General Assembly.]

13 (a) At the end of each fiscal year, the State Treasurer
14 shall transfer the surplus of all operating funds into the
15 Budgetary Stabilization Reserve Fund until the amount in the
16 Budget Stabilization Reserve Fund is equal to or exceeds 20% of
17 the Commonwealth's total revenue collection.

1 (b) Surplus operating funds at the end of a fiscal year in
2 which the Budgetary Stabilization Reserve Fund balance exceeds
3 20% of the Commonwealth's total revenue collection shall be
4 appropriated during the ensuing fiscal year by the General
5 Assembly.

6 (c) Money transferred into the Budgetary Stabilization
7 Reserve Fund under subsection (a) shall be subject to the
8 following restrictions:

9 (1) The State Treasurer may loan up to 20% of the balance in
10 the Budgetary Stabilization Reserve Fund to pay obligations of
11 the General Fund if the money in the General Fund is
12 insufficient to pay the obligations of the General Fund. The
13 money shall be repaid within the fiscal year in which it is
14 loaned.

15 (2) The General Assembly shall not appropriate money in the
16 Budgetary Stabilization Reserve Fund unless approved by two-
17 thirds of the members in the Senate and the House of
18 Representatives.

19 Section 2. (a) Upon the first passage by the General
20 Assembly of this proposed constitutional amendment, the
21 Secretary of the Commonwealth shall proceed immediately to
22 comply with the advertising requirements of section 1 of Article
23 XI of the Constitution of Pennsylvania and shall transmit the
24 required advertisements to two newspapers in every county in
25 which such newspapers are published in sufficient time after
26 passage of this proposed constitutional amendment.

27 (b) Upon the second passage by the General Assembly of this
28 proposed constitutional amendment, the Secretary of the
29 Commonwealth shall proceed immediately to comply with the
30 advertising requirements of section 1 of Article XI of the

1 Constitution of Pennsylvania and shall transmit the required
2 advertisements to two newspapers in every county in which such
3 newspapers are published in sufficient time after passage of
4 this proposed constitutional amendment. The Secretary of the
5 Commonwealth shall submit this proposed constitutional amendment
6 to the qualified electors of this Commonwealth at the first
7 primary, general or municipal election which meets the
8 requirements of and is in conformance with section 1 of Article
9 XI of the Constitution of Pennsylvania and which occurs at least
10 three months after the proposed constitutional amendment is
11 passed by the General Assembly.